

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION

EARNEST RAY BERNARD

PETITIONER

VS.

CIVIL ACTION NO. 5:06cv57DCB-MTP

CONSTANCE REESE, Warden

RESPONDENT

JUDGMENT

This matter having come on to be heard on this date upon the Report and Recommendation of the United States Magistrate Judge entered in this cause, and the Court, after a full review of the record, having adopted said Report and Recommendation as the finding of this Court by Order dated this day, finds that Earnest Ray Bernard's petition for writ of habeas corpus should be dismissed with prejudice as to this court's jurisdiction, but without prejudice in all other respects.

IT IS, THEREFORE, ORDERED AND ADJUDGED that Earnest Ray Bernard's petition for writ of habeas corpus be and the same is hereby, dismissed with prejudice for this court's jurisdiction, and without prejudice in all other respects.

SO ORDERED this the 13th day of November, 2007.

s/ David Bramlette  
UNITED STATES DISTRICT JUDGE